

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

UNIFIRST CORPORATION<sup>1/</sup>

Employer

and

TEAMSTERS LOCAL UNION NO. 570 a/w INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS, AFL-CIO

Petitioner

**Case 5-RC-15052**

**DECISION AND DIRECTION OF ELECTION**

Upon a petition duly filed under Section 9(c) of the National Labor Relations Act, as amended, a hearing was held before a hearing officer of the National Labor Relations Board; hereinafter referred to as the Board.

Pursuant to the provisions of Section 3(b) of the Act, the Board has delegated its authority in this proceeding to the undersigned.

Upon the entire record in this proceeding, the undersigned finds:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.<sup>2/</sup>
2. The Employer is engaged in commerce within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction herein.<sup>3/</sup>
3. The Petitioner involved claims to represent certain employees of the Employer.<sup>4/</sup>
4. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.
5. The following employees of the Employer constitute a unit appropriate for the purpose of collective bargaining within the meaning of Section 9(b) of the Act:<sup>5/</sup>

All full-time and regular part-time employees performing production, stockroom, shipping, custodial maintenance, route sales and shuttle driving, employed by the Employer at its Baltimore, Maryland facility, excluding office clerical employees, mechanical maintenance employees, sales representatives, guards and supervisors as defined in the Act.

**DIRECTION OF ELECTION**

An Election by secret ballot shall be conducted by the undersigned among the employees in the unit(s) found appropriate at the time and place set forth in the notice of election to be issued subsequently, subject to the Board's Rules and Regulations. Eligible to vote are those in the unit(s) who were employed during the payroll period ending immediately preceding the date of this Decision, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. Also eligible are employees engaged in an economic strike that commenced less than 12 months before the election date and who retained their status as such during the eligibility period and their replacements. Those in the military services of the United States may vote if they appear in person at the polls. Ineligible to vote are employees who have quit or been discharged for cause since the designated payroll period, striking employees who have been discharged for cause since the

**OVER**

strike began and who have not been rehired or reinstated before the election date, and employees engaged in an economic strike that began more than 12 months before the election date and who have been permanently replaced. Those eligible shall vote whether or not they desire to be represented for collective-bargaining purposes by

**TEAMSTERS LOCAL UNION NO. 570**  
**a/w**  
**INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AFL-CIO**

**LIST OF VOTERS**

To insure that all eligible voters have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties to the election should have access to a list of voters and their addresses that may be used to communicate with them. *Excelsior Underwear, Inc.*, 156 NLRB 1236 (1966); *N.L.R.B. v. Wyman-Gordon Co.*, 394 U.S. 759 (1969). Accordingly, it is directed that an eligibility list containing the *full* names and addresses of all the eligible voters must be filed by the Employer with the Regional Director within 7 days from the date of this Decision. *North Macon Health Care Facility*, 315 NLRB 359 (1994). The Regional Director shall make the list available to all parties to the election. No extension of time to file the list shall be granted by the Regional Director except in extraordinary circumstances. Failure to comply with this requirement shall be grounds for setting aside the election whenever proper objections are filed.

Your attention is directed to Section 103.20 of the Board's Rules and Regulations, a copy of which is enclosed. Section 103.20 provides that the Employer must post the Board's official Notice of Election at least three full working days before the election, excluding Saturdays and Sundays, and that its failure to do so shall be grounds for setting aside the election whenever proper and timely objections are filed.

**RIGHT TO REQUEST REVIEW**

Under the provisions of Section 102.67 of the Board's Rules and Regulations, a request for review of this Decision may be filed with the National Labor Relations Board, addressed to the Executive Secretary, 1099 14th Street, NW, Washington, D.C. 20570-0001. The request must be received by the Board in Washington by **AUGUST 8, 2000.**

Dated July 25, 2000

at Baltimore, Maryland

/s/ LOUIS J. D'AMICO

Regional Director, Region 5



1/ The name of the Employer appears as amended at the hearing.

2/ The Hearing Officer's ruling that post-hearing briefs will not be accepted is affirmed. Under Section 102.67(a) of the Board's Rules and Regulations, I may proceed to issue a decision "forthwith upon the record," without waiting for the parties to file briefs.

3/ UniFirst Corporation (the Employer), a Massachusetts corporation, with an office and place of business at 8820 Yellowbrick Road, Baltimore, Maryland, is engaged in providing uniform and textile rentals and services to commercial enterprises. During the preceding twelve months, the Employer purchased and received at its Baltimore, Maryland facility, products, goods and materials valued in excess of \$50,000 directly from points located outside the State of Maryland.

4/ The parties stipulated that Teamsters Local Union No. 570 a/w International Brotherhood of Teamsters, AFL-CIO (the Union) is a labor organization within the meaning of Section 2(5) of the National Labor Relations Act.

5/ At the hearing the parties stipulated that the following employees constitute an appropriate unit for purposes of collective bargaining:

All full-time and regular part-time employees performing production, stockroom, shipping, custodial maintenance, route sales and shuttle driving, employed by the Employer at its Baltimore, Maryland facility, excluding office clerical employees, mechanical maintenance employees, sales representatives, guards and supervisors as defined in the Act.

The Employer's normal complement is approximately 53 employees, but at this time there are approximately 47 employees in the stipulated unit and there is no history of collective bargaining.

The parties stipulated that General Manager **Karl Granato**, Service Manager **Brian Richardson**, Service Manager **Fred Anderson**, Route Supervisor **Victor Carter**, Production Manager **Bill Ovecca**, Assistant Plant Manager **John Gedon**, Stock Room Manager **Ed Sublet**, Maintenance Supervisor **Joe Kaufka** and Leadman **Antoine Nelson** are supervisors within the meaning of the Act and **not eligible to vote** in this election.

The parties also stipulated that the lead persons in the shipping department and in the finishing department, **Ana Bowles and Carolyn Lawrence**, are not supervisors within the meaning of the Act, are included in the unit and **eligible to vote** in this election.

The Employer argued that an election should not be held in August 2000, but rather on or about September 8, as there are four employees on vacation during the week of August 14, as well as during the week of August 21. The Petitioner is adamantly opposed to postponing the election. Delay of the election because four employees may be on vacation in any one week (the record does not establish that the employees in question would be unable to vote) is not deemed sufficient to warrant delaying the holding of a prompt election.